

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 16, 2015 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Scot M. Allgood, Jared L. Clawson, Martin Felix, and Paul C. James were present.

EXCUSED: Councilmember Aaron Woolstenhulme

CALL TO ORDER: There being four members present and four members representing a quorum, Mayor Miller called the meeting to order.

OTHERS PRESENT: City Administrator Ron Salvesen, City Lineman Quentin Voth, Utility Billing Clerk Michelle Jensen and ten citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Miller welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: Councilmember Scot Allgood led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember James

APPROVAL OF MINUTES:

The minutes of March 19, 2015 were approved as written.

ACTION Councilmember Clawson made a motion to approve the minutes of a regular City Council Meeting on March 19, 2015 as written. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

ACTION Councilmember James made a motion to approve the agenda for April 16, 2015 as published. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

AGENDA

8. PUBLIC COMMENT

9. PUBLIC HEARING:

A. To receive public comment concerning a proposal to vacate a portion of the following described tract of land, and the following described right of way, situated in Hyrum City, County of Cache, State of Utah:

1. Beginning at a point six hundred forty (640) feet South of a point four hundred seventy-two and 5/10 (472.5) feet East of the North quarter corner to section Eleven (11), Township Ten (10), North of Range One (1) East of the Salt Lake Base and Meridian, and running thence South one hundred fifty (150) feet; thence East one hundred fifty (150) feet; thence North one hundred fifty (150) feet; thence West on hundred fifty (150) feet to the place of beginning.

2. Together with a right of ingress and egress to and from the above described premises over and across the lands hereinafter described upon the roadway as now located along the brow of the hill, and a right to construct and maintain a twelve (12) inch pipe line over the following described lands:

The North-West quarter of the North-East quarter, and the North-West quarter of Section eleven (11); the South half of the South-West quarter of Section two (2); the North-east quarter of Section ten (10); the East half of the East half, and the West half of the West half of the South-east quarter, and the North-east quarter of the South-West quarter and the East half of the South-east quarter of the South-West quarter of Section three (3); all in Township Ten (10) North of Range One (1) East of the Salt Lake Base and Meridian; the particular description of said right of way to be hereafter ascertained by surveyor;

3. Also a right to construct and maintain a six (6) inch pipe line located approximately along the following described line:

Beginning at a point one hundred twenty-seven (127) feet South of a point six hundred eighty-nine (689) feet East of the North quarter corner of section eleven (11), Township Ten (10) North of Range One (1) East of the Salt Lake Base and Meridian, and running thence in a general South-Westerly direction approximately five hundred thirty-two (532) feet to a point six hundred forty (640) feet South of a point five hundred forty-seven and 5/10 (547.5) feet East of the

North quarter corner of said section, said township and range.

4. Also a right to construct and maintain a six (6) inch pipe line located approximately along the following described line:

Beginning at a point one hundred forty-eight (148) feet South of a point three hundred forty-nine and 8/10 (349.8) feet East of the North quarter corner of section eleven (11), Township Ten (10) North of Range One (1) East of the Salt Lake Base and Meridian, and running thence in a general South-easterly direction approximately five hundred thirty-one (531) feet to a point six hundred forty (640) feet South of a point five hundred forty-seven and 5/10 (547.5) feet East of the North quarter corner of said Section, said township and Range.

10. INTRODUCTION AND ADOPTION OF AN ORDINANCE:

- A. Ordinance 15-02 - An ordinance releasing easement rights and rights of way at approximately 6200 South between 1150 East (Cache County Tax ID No. 01-72-0001 and 01-72-0009).

11. SCHEDULED DELEGATIONS:

- A. Tami Stone - To request approval of a Home Occupation Business License at 416 South 1250 East for dog grooming.
- B. Josh King, JUB Engineering - To discuss the creation of a Cache County Water Conservancy District.
- C. Hyrum City Electric Superintendent Matt Draper - To present and discuss a new utility meter system.

12. OTHER BUSINESS:

- A. Update on Regional Sewer Plant with Nibley and Providence.
- B. Consideration and acceptance of Blacksmith Fork Villa P.U.D. Phase I.
- C. Budget reports.
- D. Mayor and City Council reports.

13. ADJOURNMENT

PUBLIC COMMENT:

Mayor Miller said if a citizen has a question or would like to make a comment to please keep it under three minutes.

No public comment was given.

PUBLIC HEARING:

TO RECEIVE PUBLIC COMMENT CONCERNING A PROPOSAL TO VACATE A

PORTION OF THE FOLLOWING DESCRIBED TRACT OF LAND, AND THE FOLLOWING DESCRIBED RIGHT OF WAY, SITUATED IN HYRUM CITY, COUNTY OF CACHE, STATE OF UTAH: 1. BEGINNING AT A POINT SIX HUNDRED FORTY (640) FEET SOUTH OF A POINT FOUR HUNDRED SEVENTY-TWO AND 5/10 (472.5) FEET EAST OF THE NORTH QUARTER CORNER TO SECTION ELEVEN (11), TOWNSHIP TEN (10), NORTH OF RANGE ONE (1) EAST OF THE SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH ONE HUNDRED FIFTY (150) FEET; THENCE EAST ONE HUNDRED FIFTY (150) FEET; THENCE NORTH ONE HUNDRED FIFTY (150) FEET; THENCE WEST ON HUNDRED FIFTY (150) FEET TO THE PLACE OF BEGINNING. 2. TOGETHER WITH A RIGHT OF INGRESS AND EGRESS TO AND FROM THE ABOVE DESCRIBED PREMISES OVER AND ACROSS THE LANDS HEREINAFTER DESCRIBED UPON THE ROADWAY AS NOW LOCATED ALONG THE BROW OF THE HILL, AND A RIGHT TO CONSTRUCT AND MAINTAIN A TWELVE (12) INCH PIPE LINE OVER THE FOLLOWING DESCRIBED LANDS: THE NORTH-WEST QUARTER OF THE NORTH-EAST QUARTER, AND THE NORTH-WEST QUARTER OF SECTION ELEVEN (11); THE SOUTH HALF OF THE SOUTH-WEST QUARTER OF SECTION TWO (2); THE NORTH-EAST QUARTER OF SECTION TEN (10); THE EAST HALF OF THE EAST HALF, AND THE WEST HALF OF THE WEST HALF OF THE SOUTH-EAST QUARTER, AND THE NORTH-EAST QUARTER OF THE SOUTH-WEST QUARTER AND THE EAST HALF OF THE SOUTH-EAST QUARTER OF THE SOUTH-WEST QUARTER OF SECTION THREE (3); ALL IN TOWNSHIP TEN (10) NORTH OF RANGE ONE (1) EAST OF THE SALT LAKE BASE AND MERIDIAN; THE PARTICULAR DESCRIPTION OF SAID RIGHT OF WAY TO BE HEREAFter ASCERTAINED BY SURVEYOR; 3. ALSO A RIGHT TO CONSTRUCT AND MAINTAIN A SIX (6) INCH PIPE LINE LOCATED APPROXIMATELY ALONG THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ONE HUNDRED TWENTY-SEVEN (127) FEET SOUTH OF A POINT SIX HUNDRED EIGHTY-NINE (689) FEET EAST OF THE NORTH QUARTER CORNER OF SECTION ELEVEN (11), TOWNSHIP TEN (10) NORTH OF RANGE ONE (1) EAST OF THE SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE IN A GENERAL SOUTH -WESTERLY DIRECTION APPROXIMATELY FIVE HUNDRED THIRTY-TWO (532) FEET TO A POINT SIX HUNDRED FORTY (640) FEET SOUTH OF A POINT FIVE HUNDRED FORTY-SEVEN AND 5/10 (547.5) FEET EAST OF THE NORTH QUARTER CORNER OF SAID SECTION, SAID TOWNSHIP AND RANGE. 4. ALSO A RIGHT TO CONSTRUCT AND MAINTAIN A SIX (6) INCH PIPE LINE LOCATED APPROXIMATELY ALONG THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ONE HUNDRED FORTY-EIGHT (148) FEET SOUTH OF A POINT THREE HUNDRED FORTY-NINE AND 8/10 (349.8) FEET EAST OF THE NORTH QUARTER CORNER OF SECTION ELEVEN (11), TOWNSHIP TEN (10) NORTH OF RANGE ONE (1) EAST OF THE SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE IN A GENERAL SOUTH-EASTERLY DIRECTION APPROXIMATELY FIVE HUNDRED THIRTY-ONE (531) FEET TO A POINT SIX HUNDRED FORTY (640) FEET SOUTH OF A POINT FIVE HUNDRED FORTY-SEVEN AND 5/10 (547.5) FEET EAST OF THE NORTH QUARTER CORNER OF SAID SECTION, SAID TOWNSHIP AND RANGE.

Mayor Miller said this property is on the east end of Hyrum and is being purchased by a neighborhood non profit housing group. There is a blanket easement from 1913 that was included over the entire piece of property. This easement was for utility lines but the City never installed utility lines nor does it have plans to. The neighborhood non profit housing group is asking the City to release all easements and rights of way at approximately 6200 South between 1150 East (Cache County Tax ID No. 01-72-0001 and 01-72-0009). The neighborhood non profit housing group will have to deed utility easements and road rights of way to the City when the property is developed. City Surveyor Jeff Nielsen reviewed the easements asking to be released and the proposed legal description matches the property purchased by the non profit housing group.

ACTION Councilmember Felix made a motion to open the public hearing at 6:35 p.m. to receive public comment regarding the request to release all utility easements and rights-of-way through Tax ID 01-72-0001 and 01-72-0009. Councilmember Clawson seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

There being no public comment, Mayor Miller called for a motion to close the public hearing.

ACTION Councilmember James made a motion to close the public hearing at 6:38 p.m. Councilmember Clawson seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

INTRODUCTION AND ADOPTION OF AN ORDINANCE:

ORDINANCE 15-02 - AN ORDINANCE RELEASING EASEMENT RIGHTS AND RIGHTS OF WAY AT APPROXIMATELY 6200 SOUTH BETWEEN 1150 EAST (CACHE COUNTY TAX ID NO. 01-72-0001 AND 01-72-0009).

Mayor Miller said this item was discussed in the public hearing held previously to this agenda item.

ACTION Councilmember Felix made a motion to adopt Ordinance 15-02 releasing easement rights and rights of way at approximately 6200 South between 1150 East (Cache County Tax ID No. 01-72-0001 and 01-72-0009). Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

SCHEDULED DELEGATIONS:**TAMI STONE - TO REQUEST APPROVAL OF A HOME OCCUPATION BUSINESS LICENSE AT 416 SOUTH 1250 EAST FOR DOG GROOMING.**

Tami Stone said she wants to groom dogs in her home at 416 South 1250 East. She has worked for a lady in Logan and wants to start her own business. She doesn't plan on more than two dogs at her home at one time and the dogs will never be left over night at her home.

Councilmember Clawson asked Tami since she lived in Elk Mountain if the Home Owners Association allows her to have a pet grooming business.

Tami Stone said yes the Home Owners Association has approved her request and she could provide a letter if necessary.

Councilmember Felix asked if Tami had notified the neighbor to the side of her since she lives in a twin home.

Tami Stones said she has spoken with her neighbors and they were okay with her doing a dog grooming business.

Councilmember Allgood said if the City Council approves the business license and there is a complaint the City will investigate and review her conditions of the license. If those conditions have been violated her business license would be revoked.

ACTION

Councilmember Allgood made a motion to approve a Home Occupation Business License for Tami Stone at 416 South 1240 East to groom dogs in her home. Before a business license is issued she will need to provide a letter of approval from the Elk Mountain Home Owner's Association and her neighbor that is next to her unit. If there are complaints of dog odor or noise then the business license will be revoked. Councilmember Clawson seconded the motion.

Councilmember James recommended amending the motion to include that not more than three dogs are allowed at her home at one time. Councilmember Allgood and Clawson accepted Councilmember James' amendment to the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.

JOSH KING, JUB ENGINEERING - TO DISCUSS THE CREATION OF A CACHE COUNTY WATER CONSERVANCY DISTRICT.

Chris Slater with JUB Engineering said Josh King was unable to attend tonight's meeting. Cache County hired JUB Engineering to look at the possible creation of a Cache County Water Conservancy District. A Cache County Water Conservancy District would have a master plan for all of the water allocated to the Cache County Region. Two of the main reasons for creating a water conservation are to protect water for the future; and to give the County a vote at State Water meetings. Cities on the Wasatch Front are presently designing water storage in the Cache County area to hold its allocated water. It's critical for Cache County to protect the 60,000 acre feet of water that is allocated to the Valley.

Val Potter, Cache County Council, said the County is funding and supports the creation of a water conservancy district. The district would not own or manage individual cities water rights but will be able to work as a group to protect our water rights. There are only a couple of Counties in the State that do not have a water conservancy district. The citizens of each city would have the opportunity to vote on the creation of the district and if it is not supported by some cities then they would not be part of the Cache County Water Conservancy District. The Board could be made up of City Councilmembers, farmers, and a water engineer. There are still so many questions and the County is just beginning this process but wants the Cities to be aware and to ask questions or make recommendations so that this can be put before the voters at the next election.

Councilmember James asked if the Cache County Water Conservancy District would be a taxing entity.

Val Potter said yes it would be a taxing entity and a definite tax amount has not been established but it is considering a tax of approximately \$10.34 on house appraised at \$188,000. This money would be used to develop the water conservancy district, a water master plan, and to protect water rights.

Mayor Miller thanked them for discussing this with the Hyrum City Council.

HYRUM CITY ELECTRIC SUPERINTENDENT MATT DRAPER - TO PRESENT AND DISCUSS A NEW UTILITY METER SYSTEM.

Hyrum City Lineman Quentin Voth said Electric Superintendent Matt Draper was unable to attend tonight's meeting. Hyrum City is considering upgrading the meter system with one that is

compatible with the water meters and can be read from a computer. A smart metering system will also notify the linemen when the power goes out and will show the area which makes assessing the outage so much quicker and efficient.

Kevin Pochoki with Hamilton Associates said his company has been around since 1934 and serves the Rocky Mountain Region. He gave a presentation on the type of meter systems and equipment available. The type of system Hyrum has inquired about is a meter reading system that will be sent by radio towers to the main computer and this also allows communication to be made back and forth from the computer to the meter. There is a set up fee and equipment would need to be purchased but the software is free. They are Toshiba meters that are ready to go once installed. There are two types of meters a basic one that allows the computer to read the usage and an upgraded meter that allows the power to be remotely turned off and on from a computer.

Mayor Miller asked if his company's meter were compatible with Itron one of the City's current meter systems.

Kevin said the electric meters are not compatible and can not be retrofitted. The City doesn't have to update its meters all at once, it can do a little bit at a time.

Quentin Voth said the City is just starting the process of changing its electric meters to Itron but that system is an outdated system and to go with a smart metering system like the one Kevin is presenting it is the technology of the future and wouldn't cost that much more to switch now.

Utility Billing Clerk Michelle Jensen said a smart metering system is the system the City wants if it doesn't want to have to upgrade in a few years. The City currently has three different metering systems with different software and different costs associated with each system. It is expensive, confusing, and inefficient to have more than one metering system. If the City upgrades to smart meters then it is crucial for the water meters to be switched to the same system. There is no sense in going to this type of meter if we still have to go out and manually read water meters. The Itron system is already outdated and the City shouldn't waste money installing and buying additional meters for it. Now is the time to update as long as both water and electric use the same metering system.

Kevin said there are some water meters that his system is compatible with and could be retrofitted. He would give the City a list of those metering systems. A basic electric meter is \$118 and a service disconnect/connect meter is \$200.

OTHER BUSINESS:**UPDATE ON REGIONAL SEWER PLANT WITH NIBLEY AND PROVIDENCE.**

City Administrator Ron Salvesen said he has met with Providence and Nibley and they have concerns over the price Hyrum City has on the buy-out of its plant. They want Hyrum City to reduce its cost from the \$10 million to \$8 million. They want the City to compromise on its buy-out cost because they believe it will save the citizens of Hyrum money in the long run. Their proposal deals with a regional sewer district being created in some form (District, inter-local agreement, etc.) They would be the entity that borrowed the money, etc. for the new plant. Providence has worked over the numbers and has come to an estimate of what it would take to make this possible. In summary it appears that the numbers that make this feasible are a plant buy-in and upgrade cost that combined in the 17 to 18 million dollar range. The upgrade estimate from Aqua was about 11 million. Another big issue is the interest rate available. Logan is getting a .75% interest on some of their money. If we can't get that also then this makes things very difficult. If all of these things came together it would keep Hyrum City's rates at about the same level they are now for 20 years and then would go down some after that.

Here are reminders of a few numbers that pertain to the value of the plant: \$5,500,000- Original Cost to build Membrane Plant; \$1,500,000- Land & water share value; \$850,000- Cost to build Reclaim facility 3 years ago; \$250,000- Cost to build drying beds about 4 years ago; \$375,000- Upgrades last year; and \$250,000- Equipment rough estimate- Front end loader, large generator, trucks, forklift, tractor, etc. We also have the original plant buildings and grounds and permitting costs over the years.

Providence wants to make one more attempt to look at the overall possibilities so that Providence can make a decision on what they are going to need to do.

Councilmember James said the City has already brought down its cost from \$12 million to \$10 million and it is not right or fair to our citizens to come down lower on the buy-out cost. It was their decision to go to Logan and it's not Hyrum City's responsibility to lower its costs to make it more affordable to them.

CONSIDERATION AND ACCEPTANCE OF BLACKSMITH FORK VILLA P.U.D. PHASE I.

City Administrator Ron Salvesen said the public utilities are substantially complete and all minor items have been completed. City Staff is recommending acceptance of Phase 1 of Blacksmith Fork Villa P.U.D.

ACTION **Councilmember Miller made a motion to accept Blacksmith Fork Villa P.U.D. Phase I. Councilmember Allgood seconded the motion and Councilmembers Allgood, Clawson, Felix, and James voted aye. The motion passed.**

BUDGET REPORTS.

City Administrator Ron Salvesen reviewed in detail the 2014-2015 operating budgets.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Felix said the Youth Council helped with the City's Easter Egg Hunt.

Councilmember James said softball registration is over and practices and games will begin soon.

Councilmember Allgood said he has sent a letter to business owners offering to put the business on Hyrum City's website. He has arranged for the entertainment for the Patriotic Program and for the City Square on the 4th of July.

Councilmember Clawson said the Hyrum City Princess Pageant was held and the following girls will represent Hyrum this year: Queen Tia Torrie, Tia Hemmert, Aspen Nielsen, Kaitlyn Prasek, and Chantel Savage.

Mayor Miller said she had a call from a citizen questioning whether street licensed ATV's were allowed on City Streets. City staff researched State Law and in May 2014 the law changed and now street legal ATV's are allowed on City Streets. The policy for rental of the Canyon Campground does not allow refunds on cancellations or for the date to be changed. She would like the City Council to change the policy so that a date can be changed without forfeiture of rental fee. This item will be on the next City Council agenda.

City Administrator Ron Salvesen said he has concerns with the liability of allowing a radio station to be operated under the City's license. The City is also being asked to fund the project and the contract submitted by Friend Weller gives him full control of the programs and music played on the radio station.

Plus Friend also wants the City to waive his utility bill and pay him for things like internet, telephone, etc.

Councilmember Clawson said he is concerned also but the City's liability and the potential risk to the City if something is said or played that is not politically correct. He understands Friend Weller is very compassionate about the radio station but he's not sure if the City should take on this liability.

City Administrator Ron Salvesen said he would like the City Council to consider raising commercial and industrial water rates. He has compared rates with other cities in Cache Valley and Hyrum City is extremely low.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 8:45 p.m.

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: May 7, 2015
 As written